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Obviously, this refers to altering the voltage provided to the super capacitor bank. For the foregoing reasons, reconsideration and withdrawal of the -112 rejection of claim 6 is hereby respectfully requested.

4.5. Claim 6 is rejected as anticipated by Jung. The rejection includes "as evidenced by U.S. patent No. 6,794,844 (Hochgraf). That is understood to be referring to MPEP 2301.01 III "extra reference or evidence can be used to show an inherent characteristic of the thing taught by the primary reference". It is further understood that Hochgraf is cited to show that "a DC/DC converter being inherent for providing a multiple or fraction of the voltage"; that is, that it is inherent that a DC/DC converter is required to provide a multiple or a fraction of a voltage. If reference to Hochgraf is other than that, it is earnestly requested that the reference to Hochgraf be explained in detail.

More importantly, the rejection on Jung is copied verbatim from the rejection of claim 4 in the previous Action, except for adding the last sentence in the Jung paragraph "The primary voltage source...the load transients." However true that statement is, it is not relevant to the claimed subject matter. Jung does not teach "controlling the voltage provided to said electric energy storage device in response to a voltage related to said load by (c) increasing or (d) decreasing said voltage provided to said electric storage device above or below said multiple or said fraction to increase response of said electric storage device to load transients," called for in claim 6. As seen at the top of page 9 in the specification, if the voltage provided by the DC/DC converter to the super capacitor 10 is reduced, below some multiple of whatever voltage there is across the fuel cell stack, the lower voltage at the super capacitor will cause current to flow through the DC/DC converter to the power conditioning system. In contrast, as seen in paragraph 0029 of Jung, Jung generates a battery current in proportion to the difference

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between a target fuel cell voltage (which depends on the load as stated in paragraph 0022) and the current fuel cell voltage. It is clearly stated in paragraph 0027 of Jung that the control over the battery is to cause its state of charge to remain between 50% and 70%. It is not "to increase response of said electric storage device to load transients". Reference to either of claims 3 or 6 of Jung clearly shows that the methodology for controlling the voltage of the fuel cell includes controlling battery current so the battery current allows the fuel cell power to be a target fuel cell power (paragraph 0032). None of this is anticipatory of future required response, but reactionary to present load.

On page 10 of the Office Action dated April 10, 2005, in the reasons for allowing claim 6, "None of the prior art of record appears to...render obvious....increasing or decreasing the voltage provided to the electric energy storage device above or below said multiple or said fraction to increase response of said electric energy storage device to load transients." On page 5 of this Office Action, it is stated "that Jung does not expressly disclose controlling the voltage by increasing or decreasing the voltage." The position maintained by the Examiner is that Jung does not disclose controlling the increasing or decreasing of the voltage as set forth in claim 6.

For the foregoing reasons, reconsideration and allowance of claim 6 over Jung is hereby respectfully requested.

6.7. Claim 6 is rejected as obvious over Jung in view of Koenig. As described hereinbefore, the Office admits that Jung does not disclose (c) increasing or (d) decreasing said voltage...above or below said multiple or said fraction to increase response of said electric storage device to load transients." Neither does Koenig.

In Koenig (column 4, lines 20): "energy supply circuit 120 stores energy in energy storage device 116....converter 119 transfers at least a portion of the

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energy in the energy storage device 116 to the inverter....Energy storage device 116 is sized to provide enough storage capacity to maintain the DC voltage at node/bus 112 until the speed of the generator 104 increases...."

Every embodiment except that of Fig. 2 has a separate charging supply circuit 120. The description of Fig. 2 (Col. 4, lines 42-48) simply states that "Converter 118 stores energy in energy storage device 116 by downwardly translating the voltage level at node/bus 112. Then, ...converter 118 transfers energy from energy storage device 116 to node/bus 112 by performing a boost voltage translation." Koenig just discloses "providing a voltage to said energy storage device which is...substantially a fraction of the voltage between said electric power output lines" Furthermore, in the first paragraph of column 4, it is made clear that the DC inverter input is about 400 volts but the storage device operates between approximately 105 volts and 210 volts.

In the third full paragraph on page 5 of the rejection, it is erroneously stated that Koenig discloses "increased or decreased voltages to the storage device in response to load transients." All Koenig discloses is that the DC-to-DC convertor 118 will transfer energy from the storage device to the node/bus 112 by performing a boost voltage translation." This is not what is set forth in claim 6. All Koenig discloses is that his capacitor runs at a lower voltage than that which is required at the input to the inverter, and the DC/DC converter raises the voltage before applying it to the inverter.

The concluding paragraph of the rejection does not even treat the claimed subject matter since claim 6 does not merely claim "supply fractional or multiple voltages to the electric storage device in response to load transients."

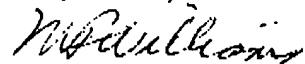
Reconsideration and allowance of claim 6 over the references is requested.

8. Applicants' only "statement with respect to claim 6" was: "Claim 6 is allowed."

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Should the foregoing not be persuasive in any respect, a telephone interview will be requested.

Respectfully submitted,



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